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SUMMARY RECORD OF THE 346th MEETING

Held at Headquarters, New York,
on Tuesday, 15 July 1997, at 10.30 a.m.

Chairperson: Ms. KHAN

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy

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The meeting was called to order at 10.45 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Second and third periodic reports of Italy (CEDAW/C/ITA/2 and CEDAW/C/ITA/3)

1. The CHAIRPERSON recalled that the Committee had agreed to consider the third periodic report of Italy on the basis of the original English text only.

2. At the invitation of the Chairperson, Ms. Finocchiaro, Ms. Giammarinaro, Ms. Ingrao and Ms. Sabbadini (Italy) took places at the Committee table.

3. Ms. FINOCCHIARO (Italy) said that her efforts as Italy's Minister for Equal Opportunities were based on the concepts of mainstreaming and empowerment, as defined at the Fourth World Conference on Women. The Italian Government's strategy for the application of those concepts was based on the idea that gender difference was not a disadvantage, but a great resource for societies. The determination of women themselves to seek freedom, independence and personal development was a factor for social change which had led to important achievements even in the absence of strong pressure from the women's movement. Consequently, Italian women had reached the highest levels in education and represented a growing proportion of the workforce, to which they brought managerial and interpersonal skills acquired in their role as caregivers.

4. However, women's changed perception of themselves was not enough to guarantee their equal access to economic resources, time, decision-making or even their own power of procreation. The Government had therefore adopted guidelines for action in the form of a Prime Minister's Directive which covered all levels of public administration and mandated all cabinet members to implement the Beijing Platform for Action. The Directive, which had been adopted in March 1997, identified which strategic objectives were particularly relevant for Italian women and indicated what specific government actions and legislative measures should be taken to achieve them.

5. Since the preparation of the third periodic report, Italy had made further progress in building a strong and stable economy. Welfare reform efforts, which were based on dialogue and negotiation with social partners, sought to expand opportunities for all citizens and to stimulate greater social mobility, with specific attention to women. The reform should help to alleviate problems such as women's unemployment, the gap between northern and southern Italy and the feminization of poverty. Since welfare reform policies should address social exclusion as well as economic conditions, the guidelines for mainstreaming a gender perspective into welfare reform also strongly emphasized local and community support and efforts to move beyond reliance on the "breadwinner". Women members of the Government were cooperating actively on those issues. Because of budgetary constraints, some of the innovations envisaged might be introduced experimentally at first, with a limited investment of resources.

6. The Italian Parliament had recently adopted a set of measures to reduce working hours, both by changing the legal limits and by providing incentives for further negotiated reductions. The aim was to create more jobs, giving priority to the hiring of young people in low-employment areas and of women who returned to work after at least two years of non-employment. Another initiative sought to create jobs in low-employment areas through local social dialogue procedures and community development, paying due attention to women's employment needs; women's response to such initiatives had been very encouraging. Special funding and credit lines were provided to young people in low-employment areas who wished to set up their own businesses. A media campaign to encourage women to establish their own businesses sought to convey the idea that women's management of their family and personal lives gave them valuable managerial skills and entrepreneurial creativity.

7. Although legislative and cultural changes in Italy had largely ensured that women enjoyed the right to decide freely on the number and spacing of their children, women's living and working conditions, as well as the myth that they must choose between family and career, tended to deprive them of access to their own power of procreation, as witnessed by the fact that Italy had one of the world's lowest birth rates. Women's disproportionate burden of caring responsibilities had thus far been redistributed only to other women (relatives or paid household workers). Although some men were beginning to perceive fatherhood as a responsibility that went beyond the traditional breadwinner model and to participate more actively in their children's upbringing, the distribution of caring responsibilities in Italian society was still unbalanced. The Government was therefore developing policies and measures to change the social and employment context in which choices concerning such responsibilities were made.

8. First of all, the Government was seeking to redistribute the burden of caring responsibilities between families and society through the establishment of child-care facilities and its National Plan for the Girl and Boy Child. Secondly, it was seeking to create a legal and social environment that encouraged redistribution of the burden between women and men, inter alia through new legislation on parental leave and measures related to flexibility of working hours. Such policies, which focused on urban areas, were known in Italy as "time management policies". Over 80 urban centres had already adopted policies of urban reorganization and coordinated planning of the opening hours of schools, workplaces, public services and other facilities, and the decision to give local authorities greater decision-making power in that area would expand the number of such initiatives. Time management was usually combined with policies to streamline public services. In some areas, citizens themselves (usually women) had organized "time banks" in which customers "deposited" the time which they wished to exchange, indicating the services which they were willing to perform during that time, and had the opportunity to "buy" services provided by other customers. The Government encouraged municipalities to support such initiatives or even to organize them directly.

9. In 1996, after a 20-year delay, the Italian Parliament had finally adopted a new law on sexual violence, as a result of a decision by female legislators to negotiate directly among themselves. On 4 July 1997, the Government had adopted a bill which would authorize civil and criminal judges to order the urgent

removal of batterers from the family home and to bar their access to places frequented by their victims. She trusted that, with the cooperation of women in Parliament, the bill would be speedily enacted into law.

10. At the insistence of women members of the Government, a mixed commission had been established to investigate allegations that Italian soldiers had committed acts of rape and torture during the 1993 peacekeeping mission in Somalia. The commission included members of the armed forces and civilians, both women and men. If even one of the allegations proved to be true, the Government would ensure that the crimes were not concealed or downplayed; that those responsible, regardless of their rank, were severely punished; and that solemn apologies were made to the women and men of Somalia.

11. Italian women had participated actively as peacemakers in the Middle East, the former Yugoslavia and Albania. Their experience provided valuable input for the design of future peacekeeping missions, pointing to the need to accord a greater role to the civilian component and to ensure increased cooperation with local and national civic movements. Women's entry into the Italian armed forces afforded an opportunity to redefine the role of the armed forces in a global context in which the spread of intra-State conflicts increasingly demanded conflict-resolution and interposing skills rather than the strict use of force.

12. The legal barriers to women's participation in politics had fallen long ago, yet that was the sector in which gender inequality was greatest. Unless that situation was reversed, it would be impossible to achieve real social innovation and dynamic growth. Empowerment policies were critical to making changes in the gender balance in government; in that context, stronger bonds with other women in Europe were of great importance.

13. In Italy, social and political innovation had often started with municipalities and local communities. Municipalities had been the first institutions to win back public confidence after the shock of corruption cases. A new generation of men and women were at work in their communities, reforming and reorganizing local services and striving to achieve urban sustainability and civic coexistence, thereby developing a new sense of identity, solidarity and participation. Women were playing a key role in that process.

14. Some of the most active women mayors were in southern Italy, even in areas where municipalities were in the forefront of the struggle against organized crime. "Empowerment" was a term which women in the affluent north had learnt from the demands and experience of women in the south. Italy's mainstreaming policies were attempting to cut across the whole spectrum of government policy. Italian women had achieved formal equality, but not de facto equality, including full acknowledgement and valuing of gender differences, but empowerment was introducing far-reaching changes into government practice, particularly in terms of the Government's direct relationship with the women's movement. Feminism and the women's movement had already profoundly transformed Italian culture, and any advance could only be based on the empowerment of women.

15. The CHAIRPERSON invited the representatives of Italy to respond to questions in the report of the pre-session working group

(CEDAW/C/1997/II/CRP.1/Add.4) which had not been answered in the introductory statement.

Article 1

16. Ms. GIAMMARINARO (Italy) referring to cases of gender discrimination which had been taken up by the equality counsellors, said that the equality counsellors had experienced considerable difficulties, partly as a result of lack of funds. Nevertheless, the national, regional and provincial equality counsellors had considered many cases of collective discrimination. One case had concerned the Istituto Mobiliare Italiano, one of Italy's largest banks, in which female workers had filed a complaint about the lack of women in senior posts. There had been numerous complaints from women in banking, particularly part-time workers. A round table had been established by the national equality counsellor to try to remove the discriminatory rules contained in collective contracts. Another problem had been raised about height requirements in the State railway system. Special attention was being paid to job advertising in newspapers, which was often addressed exclusively to men; the national equality counsellor was promoting a class action suit on that issue.

17. On the question of whether the Italian Constitution specifically integrated the issue of gender equality, she said that, as explained in the third periodic report (CEDAW/C/ITA/3), article 3 of the Constitution incorporated the principles of formal and de facto gender equality and non-discrimination. At the same time, the Constitution incorporated the principle of protection of women by according mothers significant maternity rights.

Article 3

18. Ms. INGRAO (Italy) said that the functions and capacities of the National Commission on Equality and Equal Opportunities were covered in the second periodic report (CEDAW/C/ITA/2). Since that report, the Commission had prepared a number of publications on various issues affecting women and had contributed to the debate on topical issues. It had also been active in peace initiatives and in discussions on the role of women in the armed forces. It had participated actively in the Fourth World Conference on Women, preparing the Italian report and organizing follow-up meetings. During Italy's Presidency of the European Union, the Commission had sponsored a number of activities, including a conference on women's participation in decision-making. The Commission was now focusing its efforts on achieving greater coordination among regional and local equal opportunity bodies.

19. On the question of racism and xenophobia against immigrants from countries outside the European Union, the Government believed that the primary way to combat discrimination, racism and xenophobia was through concrete action to integrate immigrants. A comprehensive draft organic law on the rights of immigrants was currently being considered in Parliament; it included specific measures for the protection of foreign victims of violence or illegal exploitation and measures to ensure the right of foreigners to health care, including women's health care. Under the draft law, discrimination on racial, ethnic, national or religious grounds was specifically prohibited. To make the anti-discrimination laws more effective, a special safeguard suit for civil

action against discrimination had been provided which was more expeditious than normal civil suits and could give rise to compensation. Protection against trafficking in women was ensured regardless of residence status; temporary residence permits could be provided to victims of trafficking.

20. Her Government felt that the most important area of non-discrimination was education. Teachers were actively involved in anti-racist campaigns. The Ministry of Education had issued instructions about multicultural education and the integration of immigrant children into schools. The right to education was ensured regardless of residence status. There was still a problem with the textbooks used in schools, since they tended to be Eurocentric and did not promote integration and understanding of other cultures. Other problems which affected the integration of immigrant children included lack of support for teachers and a shortage of language teachers. Efforts were also being made in the area of adult education.

21. The draft legislation on electoral and institutional reform was described in the third periodic report (CEDAW/C/ITA/3).

Article 4

22. Ms. GIAMMARINARO (Italy), referring to the investigation of the implementation of the Positive Action Act carried out by the Labour Committee of the Senate, said that the Labour Committee's concluding report had identified the main problems as being inadequate funding, instruments and institutions for implementing the Act. There had been a sharp decrease in affirmative action projects and most of them were being implemented in central and northern Italy rather than southern Italy. Most projects were concerned with vocational training and refresher training and seldom led to the creation of new jobs or influenced the organization of labour. Although the Positive Action Act had been formulated in the 1980s, it had not come into effect until 1991, by which time the economic situation had changed dramatically. The Government was now committed to reviewing affirmative action and equal opportunities legislation with a view to overcoming discrimination effectively.

Article 5

23. The Government's commitment to combating domestic violence was embodied in the bill recently approved by the Council of Ministers. That innovative legislation had been prepared in response to requests from women's associations, which ran the great majority of shelters for battered women in Italy. It allowed the victims of domestic violence to file civil suits against their abusers, or to have recourse to the criminal courts in more serious cases. Judges could issue removal or restraining orders to protect women from further victimization, as well as order support payments in cases of separation.

24. Ms. SABBADINI (Italy) said that the Equal Opportunities Committee of the Ministry of Education had been working to overcome gender-based stereotypes by providing support and refresher courses for teachers. Greater emphasis was being placed on sex education for both boys and girls, in order to increase awareness of personal characteristics and attitudes without socio-cultural conditioning. The Office of the Minister for Equal Opportunities also intended

to promote educational activities to counter gender stereotyping in the use of new technology, in which, for instance, far fewer girls than boys had access to computers at home; a joint programme to foster computer literacy in education had also been launched by the Ministry for Cultural Heritage and the Ministry of Education.

25. Italy had done very little to provide gender-sensitivity training to public officials; until recently, such training had been largely limited to sectors in which female officials were required to deal with women as part of their job. A programme of specific initiatives was to be submitted to the Minister of the Interior and could become a pilot project for training specific categories of public officials.

26. Ms. INGARO (Italy) said that the proportion of family farms and agricultural enterprises headed by women had increased to 37.8 per cent, reflecting the emergence of a new role for rural women.

Article 6

27. Prostitution in itself was not illegal in Italy, but a number of related activities were. Several bills had been introduced in Parliament aimed at changing current legislation in that regard, but the Government itself had no intention of drafting new legislation. A committee of the Chamber of Deputies had recently adopted extensive draft legislation on child prostitution and pornography, covering crimes committed in Italy and by Italian citizens abroad. The Office of the Minister for Equal Opportunities was also promoting a new, more detailed study on trafficking in women.

Article 7

28. Ms. SABBADINI (Italy) said that the overall percentage of women in leadership positions in labour unions and professional associations was rather low although it was somewhat higher at the national level for most organizations. Of the 107,000 companies that belonged to the Italian national industrial confederation, 6 per cent were owned or run by women.

Article 8

29. Ms. INGRAO (Italy) said that recruitment for the Italian foreign service was by public examination, with the same qualifications required of men and women; currently, there were no women ambassadors.

Article 9

30. She confirmed that the Law on Nationality incorporated all the rights encompassed in article 9 of the Convention.

Article 10

31. The third periodic report mentioned "socially useful work" and "highly skilled career paths for women" (para. 131) as two quite separate tools for job creation. "Socially useful work" involved activities considered useful for

community development and encompassed a range of cultural heritage, environmental protection and care-giving activities; access to such employment had recently been extended to young people in low-employment areas.

32. Ms. GIAMMARINARO (Italy) said that school textbooks were a sensitive issue because of the undervalued images of women which they conveyed. Women were hardly mentioned in history and literature textbooks, and other textbooks were replete with traditional stereotypes. It was difficult to influence the choices of textbook editors in that regard and much work remained to be done.

Article 11

33. Ms. INGRAO (Italy) said that the 1977 Parity Act was based on both the principle of equal pay for equal work and the principle of equal pay for work of equal value.

34. Special measures to protect women from the abuses of the unregistered labour market were being taken in the context of the gradual overall regulation of companies and industries in that sector, many of which employed largely female labour forces. Such measures restored workers' access to the protections afforded by social security, wage and tax regulations.

35. Access to middle- and upper-level jobs in the public sector was based on competitive examinations; for lower-level jobs, it depended on the applicant's position on placement lists. Private-sector hiring had been largely deregulated, although a percentage of jobs had to be reserved for the long-term unemployed, laid-off workers and other disadvantaged groups. The Government was also beginning to regulate the temporary labour market, in order to ensure that equal employment opportunities were offered there as well.

36. Ms. FINOCCHIARO (Italy) said that even after mitigating factors were taken into account, a 13 per cent differential existed between men's and women's wages. Current wage structures favoured men over women because women's family and other obligations outside the workplace prevented them from working overtime to accommodate production needs. A renegotiation of labour contracts was needed in which the contributions that women were able to make would be valued more highly.

37. The average pension received by women was lower than men's because women generally had fewer years of contributory service, owing to career interruptions. Making the mandatory retirement age lower for women was the only way in which the State compensated women for their care-giving activities: earlier access to pension benefits was a form of financial repayment for their years of unpaid work.

38. Ms. INGRAO (Italy) said that women enjoyed special protection in the workplace during pregnancy. Employers could not assign them to duties involving risk factors such as exposure to hazardous substances or heavy lifting.

Article 12

39. Ms. INGRAO (Italy) said that most centres and services dealing with domestic violence were established by local authorities and non-governmental organizations, as discussed in detail in the third periodic report. The Government provided basic health care services to elderly women free of charge, plus free medicines and hospital care for those in the lowest income groups. There were also plans to create a system of health assistance residences for elderly persons who were not self-sufficient.

40. Ms. SABBADINI (Italy) said that of the 27,000 cases recorded in Italy in 1994, 80 per cent had been men and 20 per cent women. There had been a steady increase in the number and percentage of AIDS cases among women, and the incidence of AIDS among women in the 25-34 year age group had increased eight-fold. Women were infected mainly through intravenous drug use but also heterosexually.

41. The main cause of mortality among women was cancer, followed by cardiovascular disease. Breast cancer was the most common cancer among women.

42. Ms. INGRAO (Italy) said that efforts to "humanize childbirth" were being made mainly at the local level, in response to the "over-medicalization" of childbirth and a national caesarean section rate that was considered unacceptably high. The role of midwives was to be expanded and the possibility of covering home births under the national health insurance scheme was being explored. So-called "gentle birth" wards were also being created in hospitals.

43. Ms. GIAMMARINARO (Italy) said that in cases where the staff of public hospitals were conscientious objectors to abortion, the State allowed hospitals to enter into conventions with outside doctors to provide abortion services. If they lived in an area where abortion was not available, women could travel at their own expense to an area where it was. As a result, some areas had a higher incidence of abortion than others.

44. There was a huge disparity in regulations on "assisted procreation" between public and private fertility centres. The Degan circular, dating from 1985, applied to public hospitals and allowed only sterile married couples to use the procedure and then only through fertilization with the husband's sperm. The activities of private hospitals on the other hand, were subject to few restrictions. New legislation was needed in that sensitive area. The Government had decided not to intervene, believing that Parliament should take up the issue. The Ministry of Health was, however, drafting a law on cloning.

Article 13

45. Ms. INGRAO (Italy) said that the law providing special funds for women entrepreneurs had not been enforced until recently because previous Governments had not been sufficiently sensitive to the issue.

Article 14

46. The key issues in programmes for rural women were training and technical support, which were provided mostly by the three main agricultural organizations. Courses for women entrepreneurs, financed partly through European Union and regional funds, often included an assertiveness training component. An experiment was under way to start a business centre specialized in assisting rural women entrepreneurs. Innovative projects launched by rural women included organic farming and rural tourism.

Article 16

47. Ms. GIAMMARINARO (Italy) said that few changes had been made in the area of alimony payments to childless women. Separated women had a lesser degree of protection under the law than divorced women, but the payment default rates were the same. There was an obvious reluctance on the part of women to exercise their rights in that area and to bring court action.

The meeting rose at 1 p.m.